



Workgroup C:
Defining and Measuring Data Outcomes
Status Update to Pretrial Services Stakeholder Group

July 11, 2018

Purpose of Work Group



1. Determine whether FTA and public safety rates vary across pre-trial release mechanisms. If so, by how much?
2. Determine if there is a valid and reliable approach to identify variances between local and regional jails that serve localities with pretrial services agencies versus localities without pretrial services agencies.
3. Develop statewide data definitions to ensure uniform vocabulary for data entry and tracking of FTA and public safety rates.

Pre-trial Release Outcomes



1. Determine whether FTA and public safety rates vary across pre-trial release mechanisms. If so, by how much?

- What are the *between*-group and *within*-group variations overall and across jurisdictions?

Pre-trial Release Outcomes



- Summons;
- ROR;
- ROR with pretrial services supervision;
- Unsecured bond, no supervision
- Unsecured bond, pretrial services supervision
- Secured bond, no supervision;
- Secured bond, pretrial services supervision only;
- Secured bond, bail bondsman only;
- Secured bond, bail bondsman PLUS pretrial services supervision; and,
- Other forms of pre-trial supervision (GPS, HEM, other special conditions).

Pre-trial Release Outcomes



- The Project has 2 phases:
 1. Development of the October 2017 Cohort.
 - A cohort of defendants brought before magistrates in October 2017 will be tracked until August 31, 2018.
 2. Tracking Outcomes for the October 2017 Cohort.
 - Final Disposition
 - FTA
 - Public Safety (new criminal offenses)

DCJS providing data for all pretrial services placements in October-November 2017. Also will provide FTA/new arrest data for cross-validation with criminal histories.

OES providing **E-mag data** for all charges brought before magistrates in October 2017 with follow-up data from November 1, 2017 - August 31, 2018.

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OES' CMS data to track dispositions & FTAs; Provides summons and direct indictment charges that E-mag does not capture.

VSP criminal histories for October 2017 cohort to track FTAs/new arrests

Compensation Board data to validate length of stay

Preliminary Findings- *See Handout*



- E-Magistrate (E-mag) records were collapsed into “magistrate decision events” for the time period of October 2017 based on the initial magistrate decision at commitment or release.
 - A decision event includes all charges against an individual heard together in the same jurisdiction on the same day and having the same CBR number.
 - There were 33,229 records resulting in 21,037 magistrate decision events in October 2017.
 - 17,980 unique individuals.

Preliminary Findings- *See Handout*



- Magistrate Decision Events by:
 - Type of Charge
 - Type of Bail Set by Magistrate at Commitment/Release
- Release Outcome of Magistrate Decision Events
- Release Occurrences following Magistrate Decision Events
- Bail Amount Initially Set by Magistrate by Type of Bail
- Type of Bail Initially Set by Magistrate by Type of Bond at Release
- Days from Magistrate Decision Event Until Release

Pre-trial Release Outcomes



- October 2017 Cohort Data Limitations:
 - Only adult defendants
 - Timeframe of October 2017 only
 - Out-of-state arrests will not be captured due to access/permission restrictions with criminal history request.
 - All circuit court data may not be captured.
 - Fairfax and Alexandria
 - Will not capture 100% of FTAs and new arrests due to variations in how these charges are handled and recorded.

Local and Regional Jail Comparisons



2. Determine if there is a valid and reliable approach to identify variances between local and regional jails that serve localities with pretrial services agencies versus localities without pretrial services agencies.

Statewide Data Definitions



3. Develop statewide data definitions to ensure uniform vocabulary for data entry and tracking of FTA and public safety rates.

- Appearance Rate
- FTA Rate
- Public Safety Rate
 - New Criminal Offense
 - New Violent Criminal Offense (Sub-measure)
- Overall Success Rate

Statewide Data Definitions



CURRENT MECHANISMS FOR CHARGING DEFENDANTS WITH FAILURE TO APPEAR

Mechanism	Code Section	VCC	Potential Penalty Imposed
A. Warrant for Failure to Appear			
<i>Felony</i>	§ 19.2-128	FTA-5019-F6	Up to 5 Years
<i>Misdemeanor</i>	§ 19.2-128	FTA-5020-M1	Up to 12 Months
<i>Failure to Appear in Court- Type not clear from record</i>	§ 19.2-128	FTA-5021-S9	-----
B. Contempt of Court- Fail to Appear <i>Capias</i> (or Show Cause)			
	§ 18.2-456	CON-5025-S9	0-10 Days
C. Contempt of Court- General (<i>Capias</i> or Show Cause)			
<i>General- Without a jury</i>	§ 18.2-456	CON-3210-S9	0-10 Days
<i>General- Jury impaneled</i>	§ 18.2-456	CON-3268-S9	Set by jury
<i>General- Jury impaneled</i>	§ 16.1-69.24	CON-3285-S9	Set by jury
<i>General- Without a jury</i>	§ 16.1-69.24	CON-3286-S9	0-10 Days
D. Reschedule hearing without issuing process*			
E. Game, Fish, Wildlife- Fail to Appear			
	§ 29.1-210	GFW-3351-M2	Up to 6 Months
F. Traffic- Summons			
<i>Fail to appear after signing promise on summons</i>	§ 46.2-936	REG-6710-M1	Up to 12 Months
<i>Fail to comply with terms of summons or notice</i>	§ 46.2-938	REG-6752-M1	Up to 12 Months
G. Pretrial Supervision Violation			
<i>Felony Fail to Appear</i>	§ 19.2-152.4:1	PRE-5030-F6	Up to 5 Years
<i>Misdemeanor Fail to Appear</i>	§ 19.2-152.4:1	PRE-5031-M1	Up to 12 Months



- Please review and provide feedback to Crime Commission staff by **Wednesday, July 18:**
 - Proposed statewide data definitions for failure to appear and public safety; and,
 - Preliminary October 2017 cohort findings.



Discussion

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